

ARTICLE 6.
ZONING DISTRICTS

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ARTICLE 6. ZONING DISTRICTS

SECTION 6.01 PURPOSE STATEMENT

In accordance with the requirement of NCGS 160A-382 that ***zoning*** regulation be by districts, the Town, as shown on the Zoning Map, is hereby divided into the following districts which shall be governed by all of the uniform use and dimensional requirements of this Ordinance.

The purposes of establishing the following ***zoning*** districts are:

- § To implement adopted plans;
- § To promote public health, safety, and general welfare;
- § To provide for orderly growth and development;
- § To provide for the efficient use of resources;
- § To facilitate the adequate provision of services.

SECTION 6.02 INTERPRETATION

Zoning districts have uses specified as permitted by right, uses permitted with supplemental ***regulations***, and special uses. Detailed use tables are provided in Section 6.04 showing the uses allowed in each district. The following describes the processes of each of the categories that the uses are subject to:

- § **Permitted by Right:** Administrative review and approval subject to district provisions and other applicable requirements only.
- § **Permitted with Supplemental Regulations:** Administrative review and approval subject to district provisions, other applicable requirements, and supplemental ***regulations*** outlined in Article 7.
- § **Special Use Permit:** ***UDO Administrator*** review and recommendation, Board of Adjustment review and approval of ***Special Use Permit*** subject to district provisions, other applicable requirements, and conditions of approval.
- § **Special Use Permit with Supplemental Regulations:** ***UDO Administrator*** review and recommendation, Board of Adjustment review and approval of Special Use Permit subject to district provisions, other applicable requirements, conditions of approval, and supplemental regulations outlined in Article 7.

ARTICLE 6. ZONING DISTRICTS

SECTION 6.03 PRIMARY ZONING DISTRICTS

1. **Primary Zoning Districts.** For the purposes of this Ordinance, the Town of Sunset Beach, North Carolina is hereby divided into the following primary **zoning** districts:
 - (A) *MR-1 Mainland Residential District.* Primarily for residential use, with provisions for single-family residences, **planned residential development**, regulation championship **golf courses**, as well as customary and secondary uses.
 - (B) *MR-2 Mainland Residential District.* Primarily for residential use, with provisions for single-family residences, **planned residential development**, as well as customary and secondary uses.
 - (B) (1) *MR-2A Mainland Residential District.* Primarily for residential use with provisions for single-family residences, planned residential development, as well as customary and secondary uses.
 - (C) *MR-3 Mainland Multi-Family Residential District.* Exclusively for residential **development**, with provisions for single-family and multi-family **development** and customary and secondary uses.
 - (D) *MB-1 Mainland Business District.* Primarily for the conduct of retail trade with provisions for retail service-type establishments and with provisions for residential uses and convenience-type retail trade establishment.
 - (E) *MB-2 Mainland Mixed Use District.* Primarily established as the district in which the presence of residential and nonresidential complementary and integrated uses are located within the same complex or same building. Mixed use can also refer to different categories of nonresidential uses such as institutional, retail, and office within the same complex or buildings. The advantage of mixed uses is the promotion of architectural, diversity, compatibility and pedestrian scaled environments. Mixed-use neighborhood centers provide convenience goods and services for residents of the surrounding area.
 - (F) *BR-1 Beach Residential District.* Exclusively for residential uses, with provisions for **single-family** and **two-family dwellings**, as well as customary and secondary uses.
 - (H) *BR-2 Beach Residential District.* Exclusively for residential uses, with provisions for single-family residences, **planned residential development**, as well as customary and secondary uses.

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- (I) *BB-1 Beach Business District.* Primarily for general business use and with provisions for residential uses and convenience-type trade establishment for that area of the community bounded by the Intracoastal Waterway on the north and the Atlantic Ocean on the south, and so designated on the **zoning** map. In promoting the general purposes of this Ordinance, the specific intent of this section is to permit a wide range of uses within the district with **development** standards prescribed so as to reduce any adverse effects that might accrue from the locating near one another of uses normally considered to be incompatible.
- (J) *MH-1 **Manufactured Home**/Conventional Home Residential District.* Exclusively for residential uses, with provisions for **manufactured home** single-family and conventional home single-family residences, as well as customary and secondary uses.
- (K) *MH-2 **Manufactured Home** Residential District.* Exclusively for residential uses, with provision for double-wide **manufactured homes**, as well as customary and secondary uses.
- (L) *AF-1 Agricultural-Forestry District.* Primarily for production of agricultural and forestry products with provisions for single family homes, provided lots are one (1) acre minimum in size, and that all other requirements of MR-1 apply for the residential lots.
- (M) *RI-1 Recreational-Institutional District.* Exclusively for the use of government buildings, churches, schools, parks, and like uses.
- (N) *CR-1 Conservation Reserve District.* Primarily for the preservation of significant limited or irreplaceable areas which includes major **wetlands, open spaces**, undeveloped shorelines that are unique, fragile, or hazardous for **development**. Single-family, low-density residential uses may be permitted in upland areas.
- (O) *MUD Mixed Use District.* Creates the opportunity for the design of a mixture of land uses. Provides a mixed setting in which those activities associated with retail, office, accommodations, entertainment, residential, and **open space** uses may occur in a designed environment. The Mixed Use District should provide for an identifiable sense of place by providing for civic **open spaces** and **streets** whose presence is defined by buildings. The Mixed Use district should provide for an environment which is conducive to use by pedestrians.

ARTICLE 6. ZONING DISTRICTS

2. **Overlay Zoning Districts.** Overlay zoning is generally used when there is special public interest that does not coincide with the base zoning districts in a particular geographic area. It is a mapped area that may either impose additional restrictions or relax certain provisions of the underlying zoning district. For the purposes of this Ordinance, the Town of Sunset Beach, North Carolina has hereby established the following overlay zoning districts:
- A. **Gateway Corridor Overlay District.** This district is intended to protect and preserve the visual appearance of gateways into the Town and to promote traffic safety in those areas of the Town that are especially prone to heavy traffic.

For a detailed table of specified permitted/special uses in the above listed ***zoning*** district, see Section 6.04.

ARTICLE 6. ZONING DISTRICTS

SECTION 6.04 TABLE OF PERMITTED/SPECIAL USES

P - Permitted Use

S - Special Use

PS - Permitted Use with Supplemental **Regulations**

SS - Special Use with Supplemental **Regulations**

Uses	Primary Zoning Districts															Supplemental Regulations
	MR1 p.6-17	MR2 p.6-19	MR2A p.6-21	MR3 p.6-22	MB1 p.6-24	MB2 p.6-26	BR1 p.6-27	BR2 p.6-29	BB1 p.6-31	MH1 p.6-33	MH2 p.6-35	RI1 p.6-37	CR1 p.6-39	AF1 p.6-41	MUD*	
<u>Residential and Related Uses</u>																
Accessory structures to residential uses	PS	PS	PS	PS	PS			PS	PS	PS	PS	PS				Section 7.02
Dwellings, duplex				PS	PS		PS		PS						PS	Sect. 7.03, 7.04
Dwellings, manufactured										PS	PS					Section 7.05
Dwellings, modular	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	Section 7.03
Dwellings, multi-family				PS	PS	PS			PS						PS	Section 7.06
Dwellings, single-family	PS	PS	PS	PS	PS		PS	PS	PS	PS			PS	PS	PS	Section 7.04
Dwellings, single-family development with more than ten (10) lots	PS	PS	PS	PS	PS		PS	PS	PS	PS			PS		PS	Section 7.04, 7.34
Home occupations	PS	PS	PS	PS	PS		PS	PS	PS	PS	PS	PS		PS		Section 7.07
Hot Tubs	PS	PS	PS	PS	PS		PS	PS	PS	PS	PS	PS	PS			Section 7.14
Model home/unit				PS	PS	PS									PS	Section 7.08
Off-site septic tanks, as approved by the County Health Department, unless a public wastewater system is available	P	P	P	P	P		P	P	P	P	P	P	P	P		
Planned residential development	S	S	S	S				S		S				S		
Privacy fences (single-family residential)	PS	PS	PS	PS	PS		PS	PS		PS	PS					Section 7.09

*Refer to Section 7.33 for design criteria for the Mixed Use District.

ARTICLE 6. ZONING DISTRICTS

P - Permitted Use

S - Special Use

PS - Permitted Use with Supplemental **Regulations**

SS - Special Use with Supplemental **Regulations**

Uses	Primary Zoning Districts															Supplemental Regulations
	MR1 p.6-17	MR2 p.6-19	MR2A p.6-21	MR3 p.6-22	MB1 p.6-24	MB2 p.6-26	BR1 p.6-27	BR2 p.6-29	BB1 p.6-31	MH1 p.6-33	MH2 p.6-35	RI1 p.6-37	CR1 p.6-39	AF1 p.6-41	MUD*	
Privacy fences (subdivisions)	PS	PS	PS	PS												Section 7.09
Privacy walls not exceeding six (6) feet in height (subdivisions)	PS	PS	PS	PS												Section 7.10
Private community centers	PS	PS	PS	PS	PS	PS				PS	PS	PS		PS	PS	Section 7.11
Real estate sales/management office in separate building	SS	SS	SS	SS		PS								SS	PS	Section 7.12
Recreational amenities which are part of any residential development	P	P	P	P	P										P	
Residential Units						PS									PS	Section 7.13
Swimming pools	PS	PS	PS	PS	PS			PS	SS	PS	PS	PS			PS	Section 7.14
<u>Non-Residential Uses</u>																
ABC store					P	P									P	
Accessory structures to commercial uses					PS	PS			PS			PS			PS	Section 7.15
Administrative services establishments															P	
Adult and sexually oriented businesses					SS											Section 7.16
Agriculture, horticulture, and forestry	PS	PS	PS	PS			PS	PS		PS	PS			PS		Section 7.17
Antique and classic auto/truck shows					PS	PS			PS			PS			PS	Section 7.31

*Refer to Section 7.33 for design criteria for the Mixed Use District.

ARTICLE 6. ZONING DISTRICTS

P - Permitted Use

S - Special Use

PS - Permitted Use with Supplemental **Regulations**

SS - Special Use with Supplemental **Regulations**

Uses	Primary Zoning Districts															Supplemental Regulations
	MR1 p.6-17	MR2 p.6-19	MR2A p.6-21	MR3 p.6-22	MB1 p.6-24	MB2 p.6-26	BR1 p.6-27	BR2 p.6-29	BB1 p.6-31	MH1 p.6-33	MH2 p.6-35	RI1 p.6-37	CR1 p.6-39	AF1 p.6-41	MUD*	
Antique shop					P	P			P						P	
Appliance store					P	P									P	
Assisted living facilities						P									P	
Audio/video stores					P	P			P						P	
Automobile service station					P										P	
Banks and financial institutions					P	P			P						P	
Barber and beauty shops					P	P			P						P	
Beach chairs, umbrellas, and related equipment shop					P	P			P						P	
Bicycle shop					P	P			P						P	
Bingo												P				
Body piercing and tattoo parlors					SS											Section 7.16
Book store					P	P			P						P	
Bridges and causeways permitted by CAMA and other permitting agencies	P	P	P	P									P			
Building contractors offices					P	P			P						P	
Bulkheads, as defined and regulated by CAMA	P	P	P	P	P		P	P	P	P		P	P	P		

*Refer to Section 7.33 for design criteria for the Mixed Use District.

ARTICLE 6. ZONING DISTRICTS

P - Permitted Use

S - Special Use

PS - Permitted Use with Supplemental **Regulations**

SS - Special Use with Supplemental **Regulations**

Uses	Primary Zoning Districts															Supplemental Regulations
	MR1 p.6-17	MR2 p.6-19	MR2A p.6-21	MR3 p.6-22	MB1 p.6-24	MB2 p.6-26	BR1 p.6-27	BR2 p.6-29	BB1 p.6-31	MH1 p.6-33	MH2 p.6-35	RI1 p.6-37	CR1 p.6-39	AF1 p.6-41	MUD*	
Bus stations					P	P										
Cafeterias					P										P	
CAMA approved dune walkovers limited to a maximum of 1 per 4 building units							P						P			
Camera shop					P	P			P						P	
Candy store					P	P			P						P	
Cemeteries	PS	PS	PS	PS						PS		PS	PS	PS		Section 7.18
Churches	PS	PS	PS	PS	PS	PS				PS		PS		PS	PS	Section 7.18
Circuses or carnivals					PS	PS			PS			PS			PS	Section 7.31
Clothing store					P	P			P						P	
Coastal reserves, estuarine sanctuaries, or wildlife sanctuaries													P			
Community centers	P	P	P	P	P	P			P	P					P	
Continuing care community					SS	PS						SS			PS	Section 7.19
Contractor=s office, construction sheds, or mobile offices during construction	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS		PS	Section 7.31
Conventions held in convention centers				PS												Section 7.31

*Refer to Section 7.33 for design criteria for the Mixed Use District.

ARTICLE 6. ZONING DISTRICTS

P - Permitted Use

S - Special Use

PS - Permitted Use with Supplemental **Regulations**

SS - Special Use with Supplemental **Regulations**

Uses	Primary Zoning Districts															Supplemental Regulations
	MR1 p.6-17	MR2 p.6-19	MR2A p.6-21	MR3 p.6-22	MB1 p.6-24	MB2 p.6-26	BR1 p.6-27	BR2 p.6-29	BB1 p.6-31	MH1 p.6-33	MH2 p.6-35	RI1 p.6-37	CR1 p.6-39	AF1 p.6-41	MUD*	
Day care facilities					P	P			P						P	
Delivery services (i.e., UPS)					P										P	
Dry cleaning and laundry					P	P			P						P	
Dry goods store					P	P			P						P	
Electric utility substations	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	Section 7.20
Electrical and plumbing fixture store					P										P	
Electronic gaming operations					SS	SS			SS							Section 7.16
Entertainment and amusement type businesses					SS	SS			SS							Section 7.21
Evangelistic and religious related congregations	PS	PS	PS	PS	PS	PS			PS	PS		PS			PS	Section 7.31
Fairgrounds (Town-approved functions such as Sunset at Sunset)					P	P						P			S	
Fairs or other special events or entertainment events	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS		PS	Section 7.31
Fences (nonresidential)					PS	PS			PS						PS	Section 7.09
Fire and/or rescue stations					P	P			P			P		P	P	

*Refer to Section 7.33 for design criteria for the Mixed Use District.

ARTICLE 6. ZONING DISTRICTS

P - Permitted Use

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PS - Permitted Use with Supplemental **Regulations**

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Uses	Primary Zoning Districts															Supplemental Regulations
	MR1 p.6-17	MR2 p.6-19	MR2A p.6-21	MR3 p.6-22	MB1 p.6-24	MB2 p.6-26	BR1 p.6-27	BR2 p.6-29	BB1 p.6-31	MH1 p.6-33	MH2 p.6-35	RI1 p.6-37	CR1 p.6-39	AF1 p.6-41	MUD*	
Fishing piers and permit services customarily provided to the public									SS			SS				Section 7.22
Fishing supply store					P	P			P						P	
Flower shop					P	P			P						P	
Funeral homes					P											
Furniture store					P	P			P						P	
Gasoline and motor oil supply store					P										P	
Gift shop					P	P			P						P	
Golf courses	PS	PS	PS	PS								PS		PS		Section 7.23
Golf driving range	PS	PS	PS	PS	PS							PS				Section 7.23
Governmental or institutional uses					P	P			P			P			P	
Government buildings					P	P			P			P			P	
Government or private antenna and radio equipment attached to a government owned and operated utility					P							P			P	
Government owned and operated utility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Grocery stores					P	P			P						P	

*Refer to Section 7.33 for design criteria for the Mixed Use District.

ARTICLE 6. ZONING DISTRICTS

P - Permitted Use

S - Special Use

PS - Permitted Use with Supplemental **Regulations**

SS - Special Use with Supplemental **Regulations**

Uses	Primary Zoning Districts															Supplemental Regulations
	MR1 p.6-17	MR2 p.6-19	MR2A p.6-21	MR3 p.6-22	MB1 p.6-24	MB2 p.6-26	BR1 p.6-27	BR2 p.6-29	BB1 p.6-31	MH1 p.6-33	MH2 p.6-35	RI1 p.6-37	CR1 p.6-39	AF1 p.6-41	MUD*	
Hardware store					P	P			P						P	
Health care establishments					P	P			P			P			P	
Hotels/motels				S	P	S			S						P	
Insurance agency					P	P			P						P	
Jewelry store					P	P			P						P	
Large scale ice vending machines															P	Section 7.35
Leather goods store					P	P			P						P	
Libraries					P	P			P			P			P	
Magazine shop					P	P			P			P			P	
Meeting halls	P	P	P	P	P	P			P	P	P	P			P	
Miniature golf courses (Am. Ord. 06/02/14)					S										S	Section 7.24
Modular buildings					PS	PS									PS	Section 7.03
Museums					P	P			P						P	
Newsrack					PS	PS			PS						PS	Section 7.25
Notion shop					P	P			P						P	
Nursing home					P	P			P						P	

*Refer to Section 7.33 for design criteria for the Mixed Use District.

ARTICLE 6. ZONING DISTRICTS

P - Permitted Use

S - Special Use

PS - Permitted Use with Supplemental **Regulations**

SS - Special Use with Supplemental **Regulations**

Uses	Primary Zoning Districts															Supplemental Regulations
	MR1 p.6-17	MR2 p.6-19	MR2A p.6-21	MR3 p.6-22	MB1 p.6-24	MB2 p.6-26	BR1 p.6-27	BR2 p.6-29	BB1 p.6-31	MH1 p.6-33	MH2 p.6-35	RI1 p.6-37	CR1 p.6-39	AF1 p.6-41	MUD*	
Office and office buildings					PS	PS			PS						PS	Section 7.03
Office supplies store					P	P			P						P	
Open lot sales of Christmas trees or special fund raising sales for nonprofit organizations	PS	PS	PS	PS	PS	PS			PS	PS		PS			PS	Section 7.31
Open space such as conservation area, park commons, or active recreational uses such as golf, tennis, swimming pools , and clubhouses serving facilities	P	P	P	P	P	P			P	P	P	P			P	
Outdoor bazaars					PS	PS			PS			PS			PS	Section 7.31
Outdoor display and storage of merchandise					PS	PS			PS							Section 7.26
Outdoor weddings	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	Section 7.31
Package treatment plants				PS	PS	PS									PS	Section 7.27
Parking lots	P	P	P	P	P	P			P			P			P	
Patio furniture store					P	P			P						P	
Performing arts center					P	P			P			P			P	
Personal service establishments					P	P			P						P	

*Refer to Section 7.33 for design criteria for the Mixed Use District.

ARTICLE 6. ZONING DISTRICTS

P - Permitted Use

S - Special Use

PS - Permitted Use with Supplemental **Regulations**

SS - Special Use with Supplemental **Regulations**

Uses	Primary Zoning Districts															Supplemental Regulations
	MR1 p.6-17	MR2 p.6-19	MR2A p.6-21	MR3 p.6-22	MB1 p.6-24	MB2 p.6-26	BR1 p.6-27	BR2 p.6-29	BB1 p.6-31	MH1 p.6-33	MH2 p.6-35	RI1 p.6-37	CR1 p.6-39	AF1 p.6-41	MUD*	
Pet shop					P	P			P						P	
Pharmacy					P	P			P						P	
Piers and docks as regulated by CAMA	P	P	P	P	P			P	P	P		P	P	P		
Police station					P	P			P						P	
Printers					P	P			P						P	
Professional offices, such as doctors, lawyers, etc.					P	P			P						P	
Professional or neighborhood services					P	P			P						P	
Public children playgrounds	P	P	P	P	P	P			P			P	P		P	
Public office building					P	P			P			P			P	
Public parking areas					P	P			P			P			P	
Public parks	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	
Public utility substations such as water tanks, pumping stations, and treatment plants	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	SS	Section 7.28
Radio and television broadcasting studios					P	P			P						P	
Real estate office					P	P			P						P	

*Refer to Section 7.33 for design criteria for the Mixed Use District.

ARTICLE 6. ZONING DISTRICTS

P - Permitted Use

S - Special Use

PS - Permitted Use with Supplemental **Regulations**

SS - Special Use with Supplemental **Regulations**

Uses	Primary Zoning Districts															Supplemental Regulations
	MR1 p.6-17	MR2 p.6-19	MR2A p.6-21	MR3 p.6-22	MB1 p.6-24	MB2 p.6-26	BR1 p.6-27	BR2 p.6-29	BB1 p.6-31	MH1 p.6-33	MH2 p.6-35	RI1 p.6-37	CR1 p.6-39	AF1 p.6-41	MUD*	
Recreational areas	P	P	P	P	P				P	P	P	P	P		P	
Rental of the following: nonmotorized vehicles, beach chairs, umbrellas, floats and air mattresses, surf boards, boogie boards, and snorkel equipment					P	P			P						P	
Restaurants				S	P	S			S						P	
Retail commercial establishments					P	P			P						P	
Retail sales establishments not otherwise listed					P	P			P						P	
Schools, public and private	S	S	S	S	P	P			P	S	S	P		S	P	
Seafood store					P	P			P						P	
Shoe repair					P	P			P						P	
Shoe store					P	P			P						P	
Special sales or flea markets					PS	PS			PS			PS			PS	Section 7.31
Spoil sites for the maintenance of major waterways, including the ICW													P			
Sporting goods store					P	P			P						P	
Storage facility					SS	SS			SS						SS	Section 7.29

*Refer to Section 7.33 for design criteria for the Mixed Use District.

ARTICLE 6. ZONING DISTRICTS

P - Permitted Use

S - Special Use

PS - Permitted Use with Supplemental **Regulations**

SS - Special Use with Supplemental **Regulations**

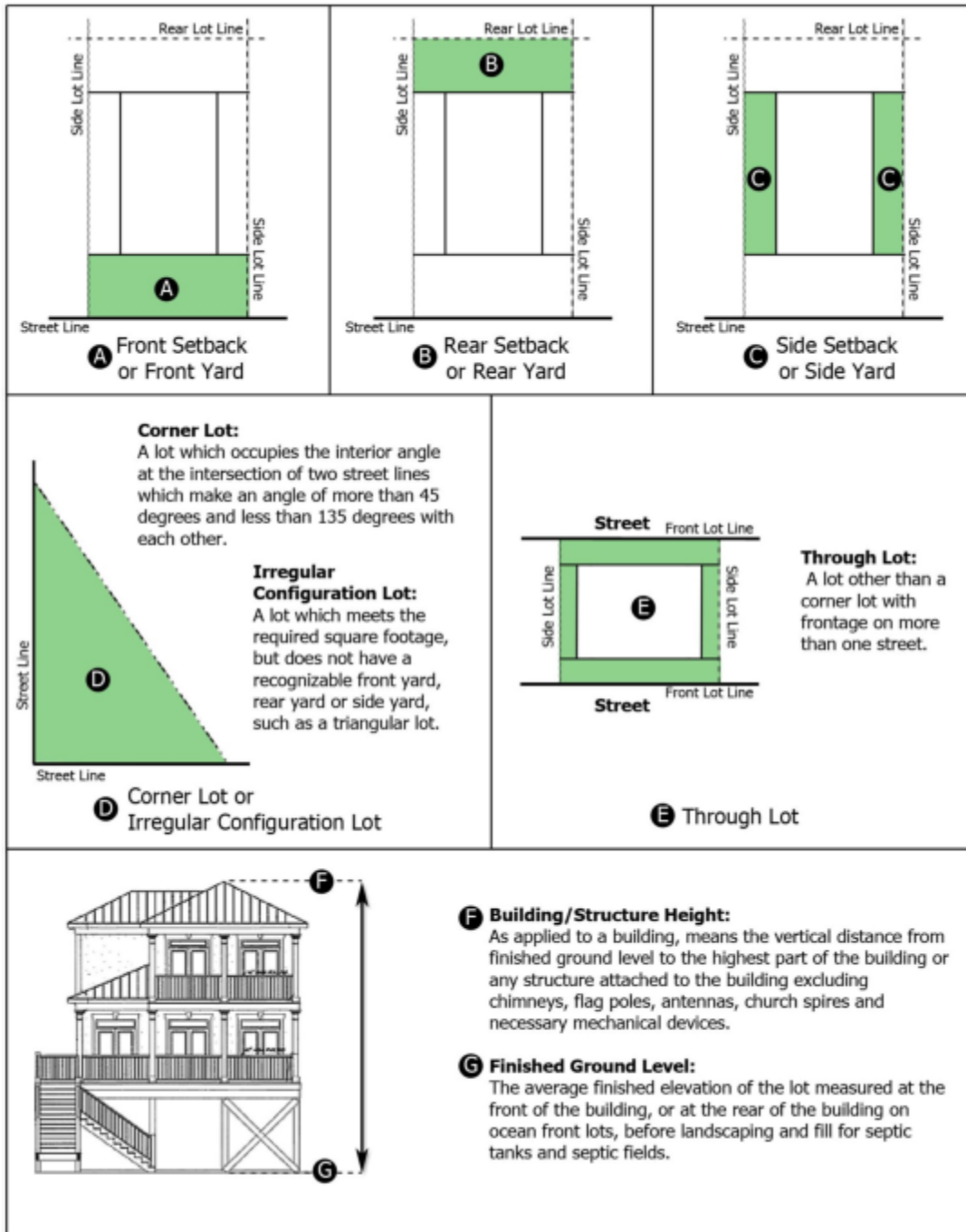
Uses	Primary Zoning Districts															Supplemental Regulations
	MR1 p.6-17	MR2 p.6-19	MR2A p.6-21	MR3 p.6-22	MB1 p.6-24	MB2 p.6-26	BR1 p.6-27	BR2 p.6-29	BB1 p.6-31	MH1 p.6-33	MH2 p.6-35	RI1 p.6-37	CR1 p.6-39	AF1 p.6-41	MUD*	
Subaqueous utility crossings													P			
Taxi stands					P	P			P						P	
Telecommunication towers					SS	SS						SS			SS	Section 7.30
Temporary housing	PS	PS	PS	PS			PS	PS		PS	PS				PS	Section 7.31
Theaters					P	P									P	
Tourist home as home occupation					P	P			P		P				P	
Toy store					P	P			P						P	
Travel agency					P	P			P						P	
Unattended telephone communication facility	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	
Upholstery store					P	P			P						P	
Video gaming machines					SS				SS						PS	Section 7.16
Wallpaper and paint store					P	P			P						P	
Watercraft rental business, non-motorized					PS	PS			PS						PS	Section 7.32

*Refer to Section 7.33 for design criteria for the Mixed Use District.

ARTICLE 6. ZONING DISTRICTS

SECTION 6.05 BUILDING AND LOT CONFIGURATION STANDARDS

The following diagrams provide the basis for determining site **development** standards outlined within the following sections. These graphics are intended to provide the general location of site specific **development** standards and should be used for reference purposes only.

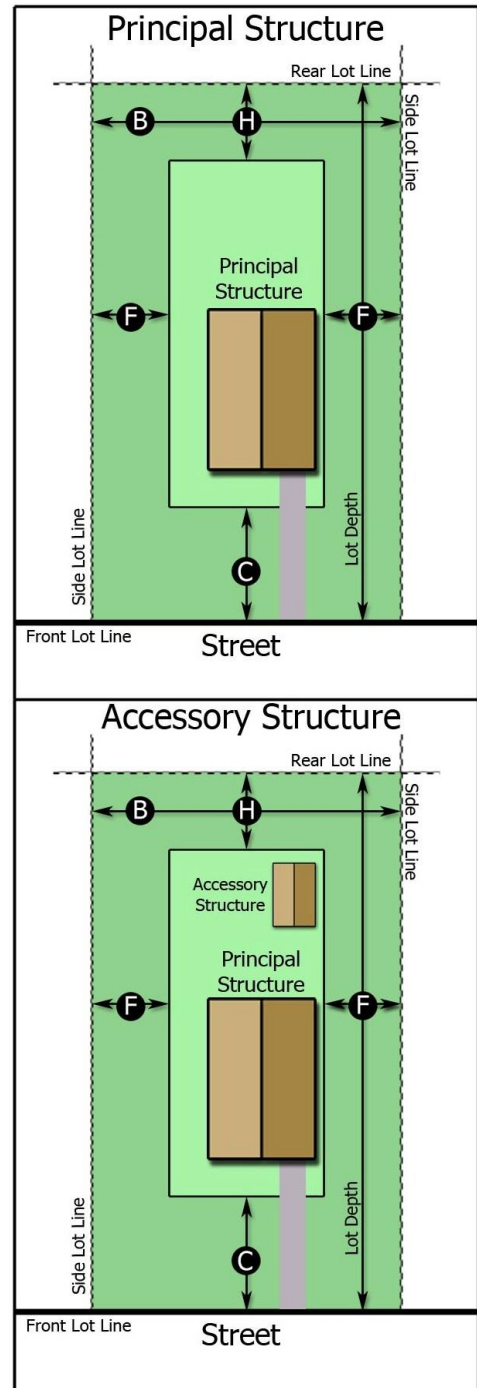


ARTICLE 6. ZONING DISTRICTS

SECTION 6.06 ZONING DISTRICT DEVELOPMENT STANDARDS

(A) MR-1 Mainland Residential District.

- A** Minimum Required Mean Lot Area Per Dwelling: 15,000 sq. ft.
- B** Minimum Required Mean Lot Width: 75 feet.
- C** Minimum Required Front Yard: 50 feet.
- D** The number of bedrooms allowed per dwelling shall not be more than the approved wastewater construction authorization for the County Health Department.
- E** The minimum required front yard shall contain a depth of not less than 50 feet from the property line. For corner lots, this requirement shall apply to the portion of the front yard facing the narrow side of the lot and the yard fronting on the wider side of the lot adjacent to the street shall have a depth of not less than 12 feet measured from the property line to the building.
- F** The minimum required side yard on each side of every principal building shall be 10% of lot average width, except that any side yard abutting a street shall be at least 12 feet.
- G** On any lot having a width of less than 40 feet and the lot was a lot of record at the time of the adoption of this Ordinance, the required width of side yard shall be 4 feet, except that any side yard abutting a street shall be at least 10 feet.
- H** The rear setback shall be 20% of the mean lot depth; provided that the rear yard not exceed 25 feet.
- I** No building or structure shall be more than 35 feet in height. A building or structure may exceed 35 feet in height only on the condition that it shall be set back, in addition to any other yard requirements, from the front and from each side lot line on a ratio of one foot for each two feet rise above 35 feet in height. However, under no circumstance shall the building height exceed 50 feet as measured pursuant to Appendix A.
- J** Accessory Structures:
 - 1** No accessory structure shall be erected in any front yard, required side yard, within 15 feet of any street line or within 5 feet of any rear yard lot line not a street line. On reverse corner lots, no accessory building or accessory structure shall extend beyond the front yard line of the lot to its rear.
 - 2** Any structure that is attached to the principal building by a conventionally framed and covered roof system, with a minimum width of 5 feet, may be considered part of the principal building and shall be required to comply with the minimal front yard set back requirements.
 - a** The height may be no greater than 16 feet.



ARTICLE 6. ZONING DISTRICTS

- b** Concrete slabs in nonhabitable areas shall be a minimum of 3-1/2 inches in thickness.
 - i** All concrete must be a minimum of 4 inches from the property line. Concrete must not channel stormwater to streets.
 - ii** Control joints must not exceed 10 feet in any direction unless thickness is increased to 4 inches and welded wire (W1.4xW1.4), (W2.0xW2.0), (W2.9xW2.9) is used; then spacing of control joints may be increased to 30 feet. Control joints that are keyed or saw cut must be done within 24 hours of placement.
 - iii** No concrete may be allowed to be placed over any septic system.
 - iv** Expansion must be provided against any masonry or pilings of all structures.

K **RESERVED**

- L** The owner of a corner lot shall be required to specify which street line is the front when requesting a building permit for the original construction.
- M** No landscaping using impervious materials such as solid plastic and vinyl will be permitted.

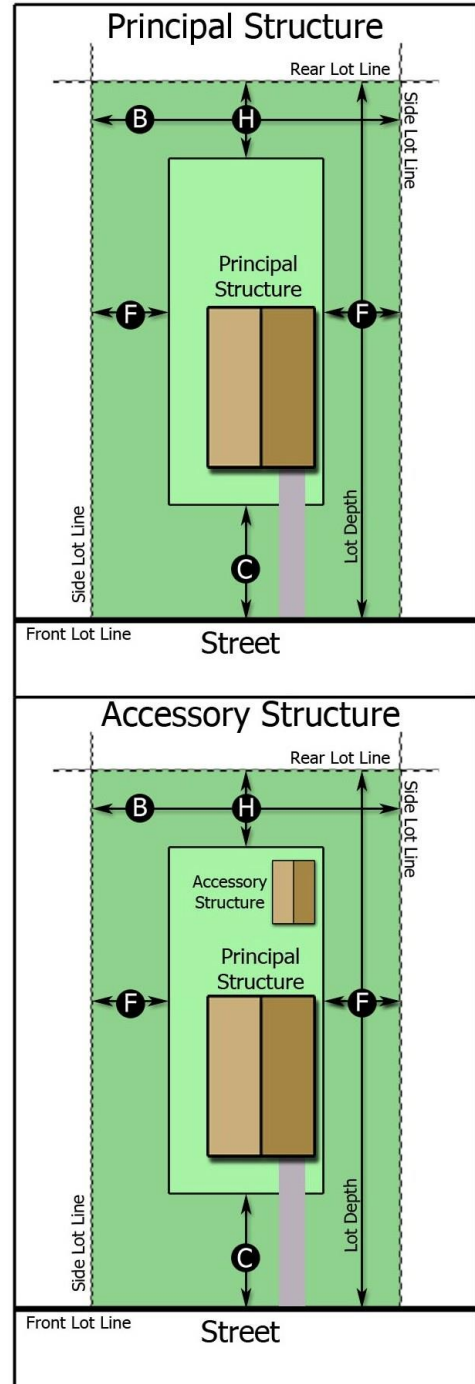
The following list provides the location of additional standards which apply to the development of uses permitted within this district:

Building Design Guidelines	Article 9, Part I (nonresidential uses)
Off-Street Parking Requirements	Article 9, Part II (nonresidential uses)
Lighting Ordinance	Article 9, Part III
Landscape and Buffering Requirements	Article 10
Sign Regulations	Article 11
Flood Damage Prevention Ordinance	Article 12, Part I
Stormwater Management Ordinance	Article 12, Part II
Driveway Access and Connectivity	N/A
Fences and Walls Requirements	Section 7.09
Sight Visibility Triangle Requirements	Section 2.08

ARTICLE 6. ZONING DISTRICTS

(B) MR-2 Mainland Residential District.

- A** Minimum Required Mean Lot Area Per Dwelling: 10,000 sq. ft.
- B** Minimum Required Mean Lot Width: 75 feet.
- C** Minimum Required Front Yard: 50 feet.
- D** The number of bedrooms allowed per dwelling shall not be more than the approved wastewater construction authorization for the County Health Department.
- E** The minimum required front yard shall contain a depth of not less than 50 feet from the property line. For corner lots, this requirement shall apply to the portion of the front yard facing the narrow side of the lot and the yard fronting on the wider side of the lot adjacent to the street shall have a depth of not less than 12 feet measured from the property line to the building.
- F** The minimum required side yard on each side of every principal building shall be 10% of lot average width, except that any side yard abutting a street shall be at least 12 feet.
- G** On any lot having a width of less than 40 feet and the lot was a lot of record at the time of the adoption of this Ordinance, the required width of side yard shall be 4 feet, except that any side yard abutting a street shall be at least 10 feet.
- H** The rear setback shall be 20% of the mean lot depth; provided that the rear yard not exceed 25 feet.
- I** No building or structure shall be more than 35 feet in height. A building or structure may exceed 35 feet in height only on the condition that it shall be set back, in addition to any other yard requirements, from the front and from each side lot line on a ratio of one foot for each two feet rise above 35 feet in height. However, under no circumstance shall the building height exceed 50 feet as measured pursuant to Appendix A.
- J** Accessory Structures:
 - 1** No accessory structure shall be erected in any front yard, required side yard, within 15 feet of any street line or within 5 feet of any rear yard lot line not a street line. On reverse corner lots, no accessory building or accessory structure shall extend beyond the front yard line of the lot to its rear.
 - 2** Any structure that is attached to the principal building by a conventionally framed and covered roof system, with a minimum width of 5 feet, may be considered part of the principal building and shall be required to comply with the minimal front yard setback requirements.
 - a** The height may be no greater than 16 feet.



ARTICLE 6. ZONING DISTRICTS

- b** Concrete slabs in nonhabitable areas shall be a minimum of 3-1/2 inches in thickness.
 - i** All concrete must be a minimum of 4 inches from the property line. Concrete must not channel stormwater to streets.
 - ii** Control joints must not exceed 10 feet in any direction unless thickness is increased to 4 inches and welded wire (W1.4xW1.4), (W2.0xW2.0), (W2.9xW2.9) is used; then spacing of control joints may be increased to 30 feet. Control joints that are keyed or saw cut must be done within 24 hours of placement.
 - iii** No concrete may be allowed to be placed over any septic system.
 - iv** Expansion must be provided against any masonry or pilings of all structures.

K **RESERVED**

L The owner of a corner lot shall be required to specify which street line is the front when requesting a building permit for the original construction.

M No landscaping using impervious materials such as solid plastic and vinyl will be permitted.

The following list provides the location of additional standards which apply to the development of uses permitted within this district:

Building Design Guidelines	Article 9, Part I
Off-Street Parking Requirements	Article 9, Part II (nonresidential uses)
Lighting Ordinance	Article 9, Part III
Landscape and Buffering Requirements	Article 10
Sign Regulations	Article 11
Flood Damage Prevention Ordinance	Article 12, Part I
Stormwater Management Ordinance	Article 12, Part II
Driveway Access and Connectivity	N/A
Fences and Walls Requirements	Section 7.09
Sight Visibility Triangle Requirements	Section 2.08

ARTICLE 6. ZONING DISTRICTS

(B) (1) *MR-2A Mainland Residential District*

- A.** Permitted Uses – Any use permitted in the MR-2, mainland residential district, as specified shall be permitted.
- B.** Dimensional Requirements – Within the MR-2A, residential district, the following dimensional requirements shall be complied with:
- a.** The minimum required front yard shall contain a depth of not less than 25 feet from the property line. However, as to corner lots, this requirement shall apply to the portion of the front yard facing the narrow side of the lot, and the yard fronting on the wider side of the lot adjacent to the street shall have a depth of not less than 12 feet measured from the property line to the building.
 - b.** With regard to any lot abutting any state highway, the minimum required setback from the property line adjacent to the highway will be 50 feet.
 - c.** All other dimensional requirements, as set forth in the MR-2, residential district, are hereby incorporated in MR-2A district's dimensional requirements as if fully set out herein to which reference is made.
 - d.** Where through lots occur, the required front yard setback shall be provided on both streets.
- C.** No landscaping using impervious materials such as solid plastic and vinyl will be permitted.

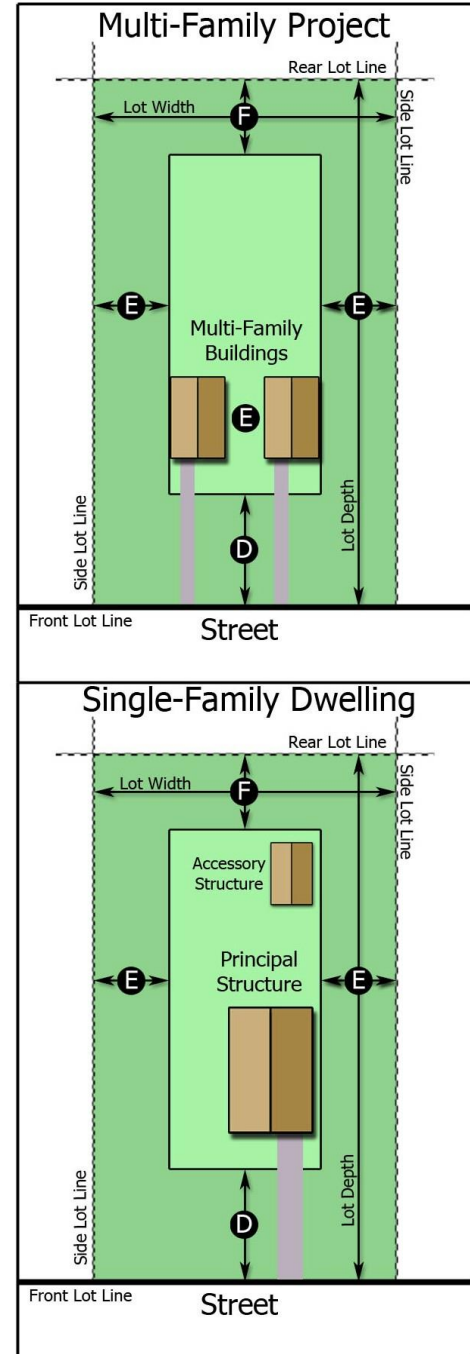
The following list provides the location of additional standards which apply to the development of uses permitted within this district:

Building Design Guidelines	Article 9, Part I
Off-Street Parking Requirements	Article 9, Part II (nonresidential uses)
Lighting Ordinance	Article 9, Part III
Landscape and Buffering Requirements	Article 10
Sign Regulations	Article 11
Flood Damage Prevention Ordinance	Article 12, Part I
Stormwater Management Ordinance	Article 12, Part II
Driveway Access and Connectivity	N/A
Fences and Walls Requirements	Section 7.09
Sight Visibility Triangle Requirements	Section 2.08

ARTICLE 6. ZONING DISTRICTS

(C) MR-3 Mainland Multi-Family Residential District.

- A** Minimum Required Mean Lot Area for any Multi-Family Project: 40,000 sq. ft.
- B** Minimum Required Mean Lot Area for any Single-Family Project: 7,500 sq. ft.
(Am. Ord. 6/29/15)
- C RESERVED**
 - 1** For single-family residential dwellings, the building footprint of the structure, exclusive of carports, garages, decks, porches, utility rooms or attendant buildings: 1,000 square feet.
 - 2** Any dwelling unit in a multi-family building: 750 square feet.
- D** The minimum front setback line in a single-family or multi-family residential project as measured from the street right-of-way line: 25 feet.
- E** Minimum Required Side Yard:
 - 1** Between buildings in a Multi-Family Project: 20 feet.
 - 2** Between the building and boundary line in a multi-family project shall be 40 feet; except wherever a multi-family project abuts an existing multi-family project a minimum 20 foot setback is required between the buildings and boundary line between the two projects. Whenever a multi-family project abuts a single-family project, a minimum 40 foot setback is required between any multi-family building and the boundary line between the two projects. Any side yard abutting an internal traffic way or parking facility within a multi-family project must have a minimum setback of 20 feet.
 - 3** Single-family dwelling between building and lot line: 5 feet. Any side yard abutting a street shall be at least 12 feet from the lot line.
- F** Minimum Required Rear Yard: 25 feet.
- G** Accessory Structures:
 - 1** No accessory structure shall be erected in any front yard, required side yard, within 15 feet of any street line or within 5 feet of any rear yard lot line not a street line. On reverse corner lots, no accessory building or accessory structure shall extend beyond the front yard line of the lot to its rear.
 - 2** Any structure that is attached to the principal building by a conventionally framed and covered roof system, with a minimum width of 5 feet, may be considered part of the principal building and shall be required to comply with the minimal front yard set back requirements.
 - a** The height may be no greater than 16 feet.



ARTICLE 6. ZONING DISTRICTS

- b** Concrete slabs in nonhabitable areas shall be a minimum of 3-1/2 inches in thickness.
 - i** All concrete must be a minimum of 4 inches from the property line. Concrete must not channel stormwater to streets.
 - ii** Control joints must not exceed 10 feet in any direction unless thickness is increased to 4 inches and welded wire (W1.4xW1.4), (W2.0xW2.0), (W2.9xW2.9) is used; then spacing of control joints may be increased to 30 feet. Control joints that are keyed or saw cut must be done within 24 hours of placement.
 - iii** No concrete may be allowed to be placed over any septic system.
 - iv** Expansion must be provided against any masonry or pilings of all structures.
- H** No building shall exceed 35 feet in height unless the depth of the front and total width of side yards required herein shall be increased one foot for every two feet, or fraction thereof, of building height in excess of 35 feet. However, under no circumstance, shall the building height exceed 50 feet as measured pursuant to Appendix A.
- I** Density: At least 2,000 square feet of net buildable area per dwelling unit in a specific multi-family project. The area shall exclude (1) the lots required 35% open space as part of the total net buildable lot area when determining the required lot area per unit; (2) any area defined as wetland by state or federal law or regulation, including the Clean Water Act, 33 USC 1344, or any area within any setback established pursuant to the Coastal Area Management Act when determining the net buildable area. Example: a 40,000 square foot lot would have a total buildable lot area of 26,000 square feet when factoring out the required open space lot area. If the wetland area is 2,000 square feet, it will be subtracted from the 26,000 square feet, the remaining 24,000 square feet will then be divided by 2,000 square feet which will be equal to 12 dwelling units allowed in the 40,000 square foot project.
- J** The owner of a corner lot shall be required to specify which street line is the front when requesting a building permit for the original construction.
- K** Exceptions to setbacks: For lots of record located in subdivisions in the 2007 Town-initiated annexations, the minimum yard requirements for the lot shall be equal to 10% of the average width of the lot for the side yard setbacks and 10% of the average lot depth for the front and rear setbacks if minimum required yard setbacks for the Town zoning district cannot be met.
- L** Where through lots occur, the required front yard setback shall be provided on both streets.
- M** No landscaping using impervious materials such as solid plastic and vinyl will be permitted.

The following list provides the location of additional standards which apply to the development of uses permitted within this district:

Building Design Guidelines	Article 9, Part I
Off-Street Parking Requirements	Article 9, Part II (nonresidential uses)
Lighting Ordinance	Article 9, Part III
Landscape and Buffering Requirements	Article 10
Sign Regulations	Article 11
Flood Damage Prevention Ordinance	Article 12, Part I
Stormwater Management Ordinance	Article 12, Part II
Driveway Access and Connectivity	N/A
Fences and Walls Requirements	Section 7.09
Sight Visibility Triangle Requirements	Section 2.08

ARTICLE 6. ZONING DISTRICTS

(D) *MB-1 Mainland Business District.*

A Non-residential Uses:

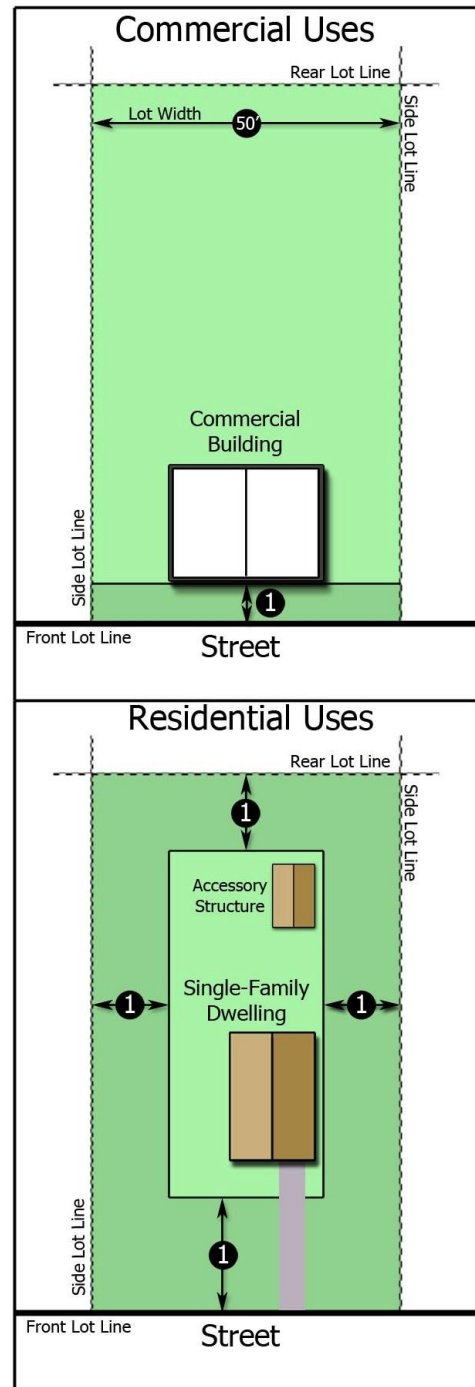
- 1 Required Yards. No building shall be less than 5 feet from the property line abutting any street right-of-way. No other yards are required.
- 2 Required Building Lot Area. The required building lot area for any non-residential use shall be a minimum of 6,000 square feet. The building lot area shall have a minimum average lot width of 50 feet.

B Residential Uses:

- 1 Required Yards. No building shall be less than 25 feet from the property line abutting any street right-of-way provided that no detached single-family residential development shall be closer than 150 feet from the property line abutting the street right-of-way of NC 179/904 (including Sunset Blvd, Seaside Road, Shoreline Drive West, and Beach Drive).
- 2 Minimum Required Side Yard:
 - a. Between buildings in a multi-family project: 20 feet
 - b. Between the building and lot line in a multi-family use: 20 feet
 - c. Single-family residential uses: 5 feet
- 3 Minimum Required Rear Yard: 15 feet
- 4 Density: Up to 21.7 dwelling units per acre.
- 5 Minimum lot size: 4,500 square feet.
- 6 Minimum Required Floor Space:
 - a. For single-family residential dwellings, the building footprint of the structure, exclusive of carports, garages, decks, porches, utility rooms or attendant buildings: 750 square feet.
 - b. Any dwelling unit in a multi-family building: 750 square feet.

C Accessory Structures:

- 1 No accessory structure shall be erected in any front yard, required side yard, within 15 feet of any street line or within 5 feet of any rear yard lot line not a street line. On reverse corner lots, no accessory building or accessory structure shall extend beyond the front yard line of the lot to its rear.
- 2 Any structure that is attached to the principal building by a conventionally framed and covered roof system, with a minimum width of 5 feet, may be considered part of the principal building and shall be required to comply with the minimal front yard setback requirements.
 - a. The height may be no greater than 16 feet.



ARTICLE 6. ZONING DISTRICTS

- D** Building Height. No single-family residential building shall exceed 35 feet in height. For all other uses, no building shall exceed 35 feet in height unless the depth of the front and total width of side yards required herein shall be increased one foot for every two feet, or fraction thereof, of building height in excess of 35 feet. However, under no circumstance shall the building height exceed 50 feet as measured pursuant to Appendix A.
- E** No landscaping using impervious materials such as solid plastic and vinyl will be permitted.

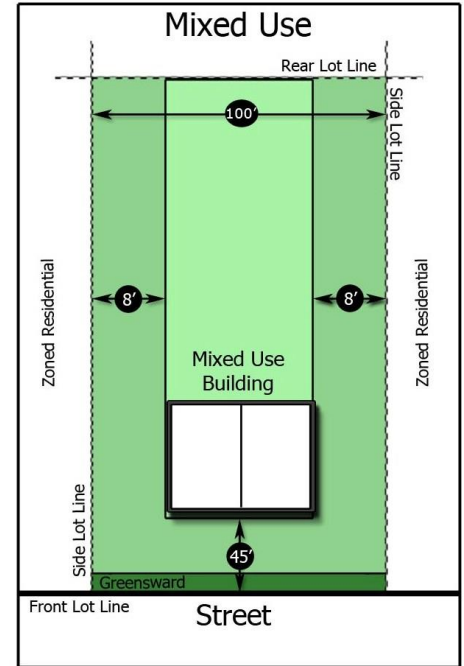
The following list provides the location of additional standards which apply to the development of uses permitted within this district:

Building Design Guidelines	Article 9, Part I
Off-Street Parking Requirements	Article 9, Part II
Lighting Ordinance	Article 9, Part III
Landscape and Buffering Requirements	Article 10
Sign Regulations	Article 11
Flood Damage Prevention Ordinance	Article 12, Part I
Stormwater Management Ordinance	Article 12, Part II
Driveway Access and Connectivity	Section 2.14
Fences and Walls Requirements	Section 7.09
Sight Visibility Triangle Requirements	Section 2.08

ARTICLE 6. ZONING DISTRICTS

(E) MB-2 Mainland Mixed Use District.

- A** Required Yards. No building shall be less than 45 feet from the front property line abutting any street right-of-way. Within this 45 feet, there must be a Greensward of 15 feet. Meandering sidewalks may be placed in the Greensward. Parking lots and drives are not permitted within the Greensward. No building shall be less than 12 feet from the property line abutting any side street right-of-way. No other yards are required except where a business use abuts an existing residential dwelling use or any area zoned residential; it shall provide along the abutting property lines a side yard of at least 8 feet and a rear yard equal to at least 20 feet. In all cases where a side yard is provided it shall be at least 4 feet in width.
- B** No building shall exceed 35 feet in height unless the depth of the front and total width of side yards required herein shall be increased one foot for every two feet, or fraction thereof, of building height in excess of 35 feet. However, under no circumstance shall the building height exceed 50 feet as measured pursuant to Appendix A.
- C** Required Building Lot Area. The required building lot area shall be a minimum of 20,000 square feet. The building lot area shall have a minimum average lot width of 100 feet.
- D** Multi-family, as required in the MR-3 District.
- E** No landscaping using impervious materials such as solid plastic and vinyl will be permitted.
- F** Installation of sidewalk facilities shall be required.
 - 1** The UDO Administrator may waive or modify these requirements in instances where due to a particular lots size, location, or shape these requirements would serve no useful purpose.
 - 2** Sidewalks shall be constructed within a development to link the interior of the developments buildings to other destinations within the development such as, but not limited to, adjoining streets, mailboxes, trash disposal areas, onsite amenity areas, etc.



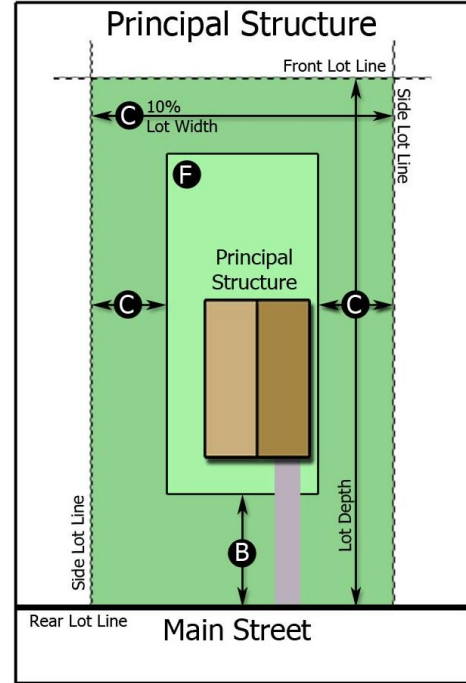
The following list provides the location of additional standards which apply to the development of uses permitted within this district:

Building Design Guidelines	Article 9, Part I
Off-Street Parking Requirements	Article 9, Part II
Lighting Ordinance	Article 9, Part III
Landscape and Buffering Requirements	Article 10
Sign Regulations	Article 11
Flood Damage Prevention Ordinance	Article 12, Part I
Stormwater Management Ordinance	Article 12, Part II
Driveway Access and Connectivity	N/A
Fences and Walls Requirements	N/A
Sight Visibility Triangle Requirements	Section 2.08

ARTICLE 6. ZONING DISTRICTS

(F) *BR-1 Beach Residential District*

- A** Minimum Required Mean Lot Area Per Dwelling: 7,500 sq. ft.
- B** Minimum Required Rear Yard: Not less than 25 feet from the property line abutting the Main Street right-of-way.
- C** Minimum Required Side Yard: 10% of the lot width on each side; except where a walk is next to a public walk to the beach, which may have a 5 foot setback. A lot (property) owner of record at the time of enactment of this provision shall have a minimum side yard setback of 5 feet on both sides.
- D** Height of Building: No building or structure shall be more than 35 feet in height.
- E** **RESERVED**
- F** Required Building Lot Area. For the purposes of determining required building lot area for lots located southward of Main Street, the depth shall be limited to no more than 150 feet from the property line abutting the right-of-way of Main Street.
- G** The standard width of guttering used to control water run-off is specifically allowed, not withstanding other definitions herein.
- H** The owner of a corner lot shall be required to specify which street line is the front when requesting a building permit for the original construction.
- I** No landscaping using impervious materials such as solid plastic and vinyl will be permitted.
- J** Concrete slabs in nonhabitable areas shall be a minimum of 3-1/2 inches in thickness.
 - 1** All concrete must be a minimum of 4 inches from the property line. Concrete must not channel stormwater to streets.
 - 2** Control joints must not exceed 10 feet in any direction unless thickness is increased to 4 inches and welded wire (W1.4xW1.4), (W2.0xW2.0), (W2.9xW2.9) is used; then spacing of control joints may be increased to 30 feet. Control joints that are keyed or saw cut must be done within 24 hours of placement.
 - 3** No concrete may be allowed to be placed over any septic system.
 - 4** Expansion must be provided against any masonry or pilings of all structures.



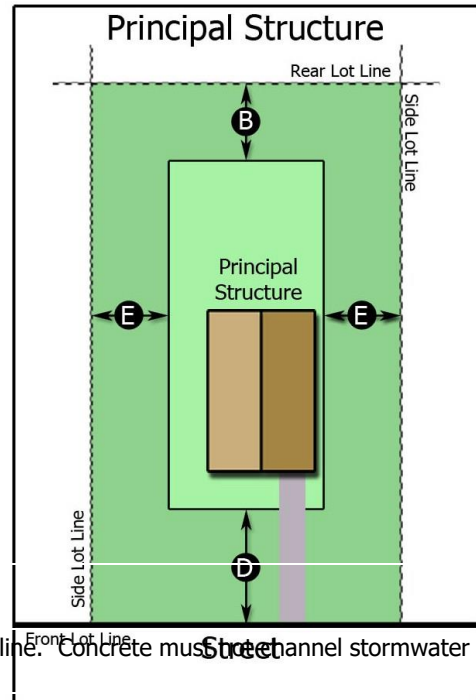
The following list provides the location of additional standards which apply to the development of uses permitted within this district:

Building Design Guidelines	Article 9, Part I (nonresidential uses)
Off-Street Parking Requirements	Article 9, Part II (nonresidential uses)
Lighting Ordinance	Article 9, Part III
Landscape and Buffering Requirements	Article 10
Sign Regulations	Article 11
Flood Damage Prevention Ordinance	Article 12, Part I
Stormwater Management Ordinance	Article 12, Part II
Driveway Access and Connectivity	N/A
Fences and Walls Requirements	Section 7.09
Sight Visibility Triangle Requirements	Section 2.08

ARTICLE 6. ZONING DISTRICTS

(G) BR-2 Beach Residential District.

- A** Minimum Required Mean Lot Area Per Dwelling: 4,500 sq. ft.
- B** Minimum Required Rear Yard: 5 feet.
- C** RESERVED
- D** Minimum Required Front Yard: 25 feet. However, as to corner lots this requirement shall apply to the portion of the yard facing the narrow side of the lot and the yard fronting on the wider side of the lot adjacent to the street shall be considered a side yard.
- E** Minimum Required Side Yard: 5 feet, except that any side yard abutting a street shall be at least 12 feet.
- F** Height of Building: No building or structure shall be more than 35 feet in height.
- G** The standard width of guttering used to control water run-off is specifically allowed, not withstanding other definitions herein.
- H** The owner of a corner lot shall be required to specify which street line is the front when requesting a building permit for the original construction.
- I** Concrete slabs in nonhabitable areas shall be a minimum of 3-1/2 inches in thickness.



- 1** All concrete must be a minimum of 4 inches from the property line. Concrete must channel stormwater to streets.
- 2** Control joints must not exceed 10 feet in any direction unless thickness is increased to 4 inches and welded wire (W1.4xW1.4), (W2.0xW2.0), (W2.9xW2.9) is used; then spacing of control joints may be increased to 30 feet. Control joints that are keyed or saw cut must be done within 24 hours of placement.
- 3** No concrete may be allowed to be placed over any septic system.
- 4** Expansion must be provided against any masonry or pilings of all structures.
- J** Where through lots occur, the required front yard setback shall be provided on both streets.
- K** No landscaping using impervious materials such as solid plastic and vinyl will be permitted.

The following list provides the location of additional standards which apply to the development of uses permitted within this district:

Building Design Guidelines	Article 9, Part I
Off-Street Parking Requirements	Article 9, Part II
Lighting Ordinance	Article 9, Part III
Landscape and Buffering Requirements	Article 10
Sign Regulations	Article 11
Flood Damage Prevention Ordinance	Article 12, Part I
Stormwater Management Ordinance	Article 12, Part II
Driveway Access and Connectivity	N/A
Fences and Walls Requirements	Section 7.09
Sight Visibility Triangle Requirements	Section 2.08

ARTICLE 6. ZONING DISTRICTS

(H) *BB-1 Beach Business District.*

A Commercial Uses:

1 Required Yards:

- a Minimum Required Front Yard: 25 feet.
- b Minimum Required Rear Yard: 5 feet.
- c Minimum Required Side Yard: 5 feet.
- d Minimum Required Corner Side Yard: 5 feet, except where the lot faces 3 streets, the street to the rear of the lot shall be not less than 5 feet.
- e Where through lots occur, the required front yard setback shall be provided on both streets. Exception to through lot setback: Any structure that was lawfully constructed and received a certificate of occupancy no more than one year prior to the adoption of this Ordinance, which structure becomes non-conforming by virtue of this Ordinance and which is later damaged by more than 50% of the value of the structure within 10 years from the date of this Ordinance, can be reconstructed without being required to comply with this new setback requirement for through lots.

2 Height of Buildings. No building or structure shall be more than 35 feet in height.

3 Required Building Lot Area. The required minimum building lot area for any business shall be a minimum of 4,500 square feet. The building lot area shall have a minimum average lot width of 50 feet.

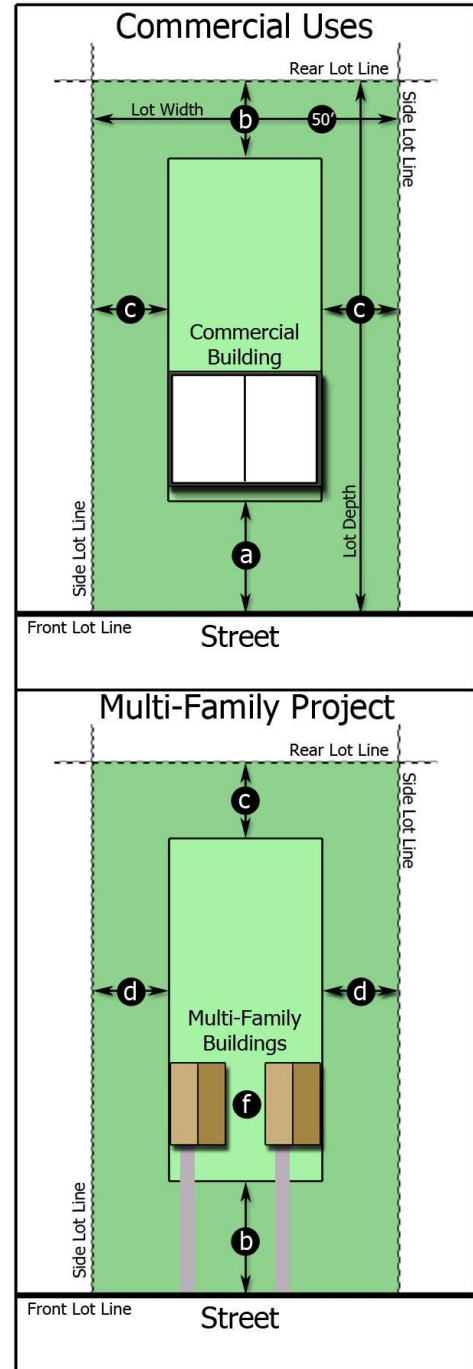
B Residential Uses:

1 Single-Family:

- a Lots located southward of Main Street: Same as in the BR-1 District.
- b Lots located northward of Main Street: Same as in the BR-2 District.
- c Corner Lots-Front Yard Setbacks: The owner of a corner lot shall be required to specify which street line is the front when requesting a building permit for the original construction.
- d Where through lots occur, the required front yard setback shall be provided on both streets.

2 Multi-Family:

- a The minimum required heated living space for each dwelling erected in this district shall contain a minimum of 750 square feet which shall be exclusive of carports, garages, pump houses, unattached utility rooms, porches, steps, walks, and other additions of such character.
- b Minimum Required Front Setback as measured from the street right-of-way: 25 feet.
- c Minimum Required Rear Yard: 5 feet.
- d Minimum Required Side Yard: 5 feet, except that any side yard abutting a street shall be at least 12 feet from the lot line.



ARTICLE 6. ZONING DISTRICTS

- e** Maximum Height for any Structure: 35 feet.
- f** Minimum Distance Between Buildings in a Multi-Family Project: 10 feet.
- g** Maximum Density: 21.7 units per acre. For all multi-family buildings that contain dwelling units which result in a density above this density standard that were existing as of 06-29-2015, the nonconforming standards of Section 8.03 (Nonconforming Buildings Containing A Non-Conforming Use) shall not apply and a building may be rebuilt with the same number of units that existed on 06-29-2015.

In no case shall the existing building or parcel upon which the building stands be developed, subdivided, re-subdivided, or redeveloped whereby the result would allow more density per acre than what was existing at the time of Council's adoption.

In the event the use of the building moves to another land use classification (in whole or in part) as identified in Section 6.04, then this provision shall no longer apply and the building shall conform to all provisions of Article 8, Nonconformities.

(Am. Ord. 06/29/15)

- h** Where through lots occur, the required front yard setback shall be provided on both streets.

C Structures Prohibited; Exceptions:

- 1** No structure, other than CAMA approved dune walkovers on public beach access property, sand fences for the exclusive purpose of capturing sand for dune stabilization and growth or County Health Department approved waste treatment systems, shall be located on that part of any lot lying beyond 125 feet seaward of the property line abutting the right-of-way of Main Street.
- 2** Retaining walls, bulkheads or other containment devices to prevent fill and surface water from running on lower lots when fill is necessary to install a private wastewater treatment system will be allowed beyond 125 feet seaward of the property line abutting the right-of-way of Main Street.

- D** Required Building Lot Area. For the purposes of determining required building lot area for lots located southward of Main Street, the depth shall be limited to no more than 150 feet from the property line abutting the right-of-way of Main Street.

- E** No landscaping using impervious materials such as solid plastic and vinyl will be permitted.

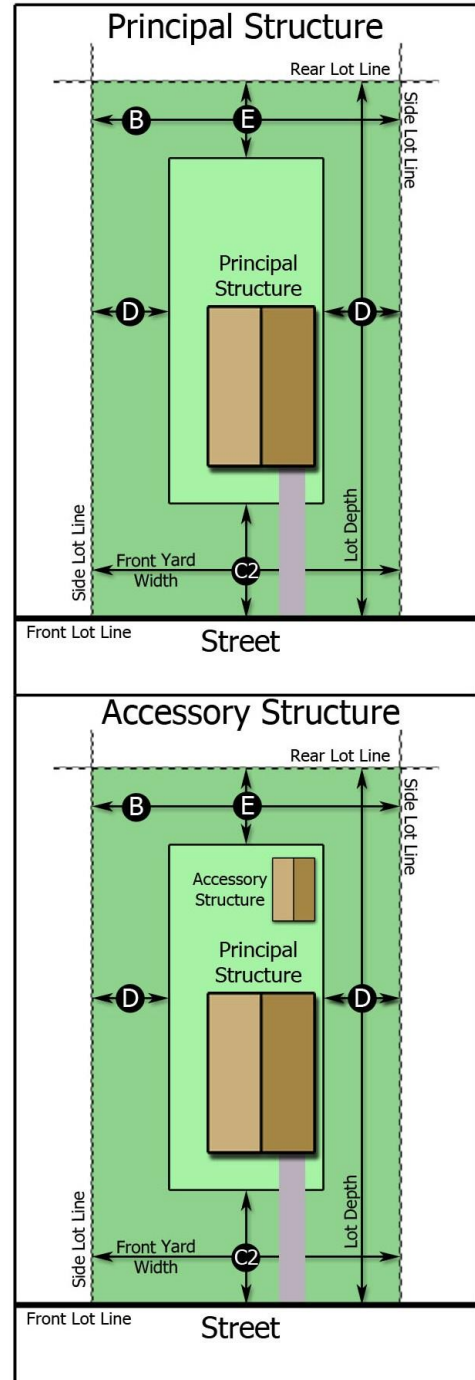
The following list provides the location of additional standards which apply to the development of uses permitted within this district:

Building Design Guidelines	Article 9, Part I
Off-Street Parking Requirements	Article 9, Part II
Lighting Ordinance	Article 9, Part III
Landscape and Buffering Requirements	Article 10
Sign Regulations	Article 11
Flood Damage Prevention Ordinance	Article 12, Part I
Stormwater Management Ordinance	Article 12, Part II
Driveway Access and Connectivity	Section 2.14
Fences and Walls Requirements	Section 7.09
Sight Visibility Triangle Requirements	Section 2.08

ARTICLE 6. ZONING DISTRICTS

(I) *MH-1 Manufactured Home-Conventional Home District.*

- A** Minimum Required Mean Lot Area Per Dwelling: 9,000 sq. ft., provided, that this requirement shall not apply to any lot of record at the adoption of this Ordinance.
- B** Minimum Required Mean Lot Width Per Dwelling Unit: 60 feet, provided that this requirement shall not apply to any lot of record at the adoption of this Ordinance.
- C** Front Yards:
 - 1** Minimum Required Front Yard Width: 50 feet, provided that this requirement shall not apply to any lot of record at the adoption of this Ordinance.
 - 2** Minimum Required Front Yard Depth: 25 feet.
- D** The minimum required side yard on each side of every manufactured home, modular home, or conventional home shall be 10% of lot average width, except that any side yard abutting a street shall be at least 12 feet measured from the property line to the furthest projection.
- E** Minimum Required Rear Yard: 20% of the mean lot depth; provided that the rear yard need not exceed 25 feet.
- F** The owner of a corner lot shall be required to specify which street line is the front when requesting a building permit for the original construction.
- G** No accessory structure shall be erected in any front yard, required side yard, within 15 feet of any street line or within 5 feet of any rear yard lot line not a street line. On reverse corner lots, no accessory building or accessory structure shall extend beyond the front yard line of the lot to its rear.
 - 1** The height may be no greater than that of the manufactured home or 16 feet if a modular home or conventional home.
 - 2** Concrete slabs in nonhabitable areas shall be a minimum of 3-1/2 inches in thickness. All concrete must be a minimum of 4 inches from the property line. Concrete must not channel stormwater to street. Control joints must not exceed 10 feet in any direction unless thickness is increased to 4 inches and welded wire (W1.4xW1.4), (W2.0xW2.0), (W2.9xW2.9) is used; then spacing of control joints may be increased to 30 feet. Control joints that are keyed or saw cut must be done within 24 hours of placement. No concrete may be allowed to be placed over any septic system. Expansion must be provided against any masonry or pilings of all structures.
- H** No attached structures to a manufactured home shall be wider than 14 feet or longer than the manufactured home to which it is attached.



ARTICLE 6. ZONING DISTRICTS

I The minimum size of manufactured homes shall be as follows:

- 1.** No more than one manufactured home may be placed on any lot and no additions or combinations or previously manufactured homes shall be joined or attached together for the purpose of meeting these minimum size requirements.

J The minimum required heated living space for each modular home or conventional home shall be 850 square feet which shall be exclusive of carports, garages, pump houses, unattached utility rooms, porches, steps, walks, and other additions of such character.

K No building or structure shall be more than 35 feet in height. A building or structure may exceed 35 feet in height only on condition that it shall be set back, in addition to any other yard requirements, from the front and from each side lot line on a ratio of one foot for each two feet rise above 35 feet in height. However, under no circumstance shall the building height exceed 50 feet as measured pursuant to Appendix A.

L Where through lots occur, the required front yard setback shall be provided on both streets.

M No landscaping using impervious materials such as solid plastic and vinyl will be permitted.

N Underpinning and Tie-Downs:

- 1** All single-wide manufactured homes placed on a lot must be tied or fastened to the ground as follows: A single-wide with 4 foot anchors and those 50 feet in length through 55 feet in length must have not less than 3 anchors on each side; mobile homes from 55 through 70 feet must have not less than 4 anchors per side.
- 2** All mobile homes, whether single-wide or double-wide, must be underpinned with brick, metal, fiberglass, or vinyl within 6 months of placement on the lot.

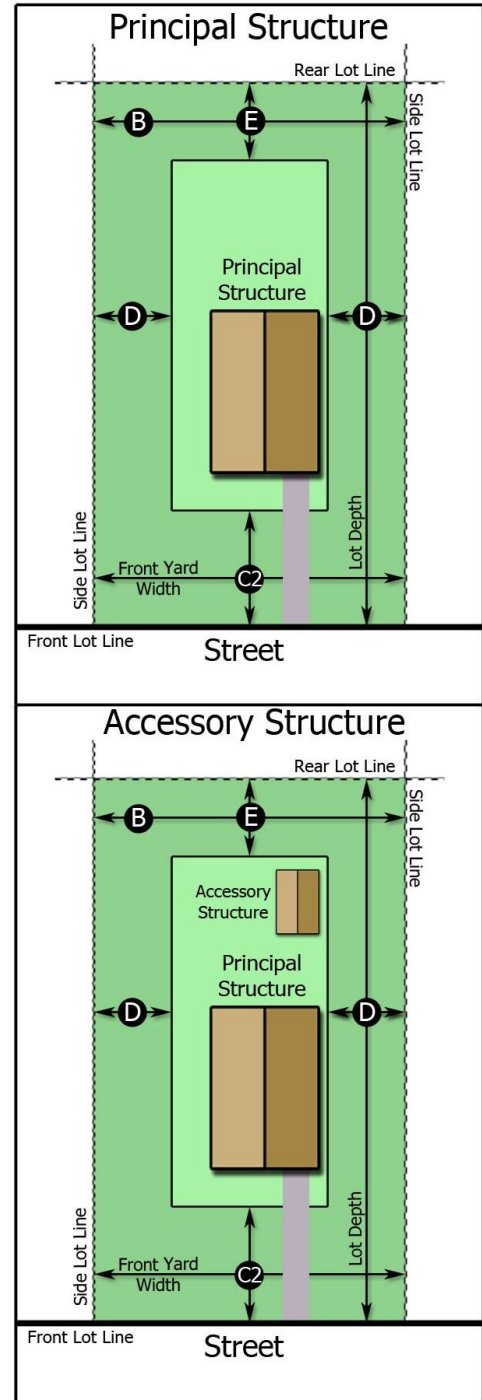
The following list provides the location of additional standards which apply to the development of uses permitted within this district:

Building Design Guidelines	Article 9, Part I (nonresidential uses)
Off-Street Parking Requirements	Article 9, Part II
Lighting Ordinance	Article 9, Part III
Landscape and Buffering Requirements	Article 10
Sign Regulations	Article 11
Flood Damage Prevention Ordinance	Article 12, Part I
Stormwater Management Ordinance	Article 12, Part II
Driveway Access and Connectivity	N/A
Fences and Walls Requirements	Section 7.09
Sight Visibility Triangle Requirements	Section 2.08

ARTICLE 6. ZONING DISTRICTS

(J) *MH-2 Manufactured Home Residential District.*

- A** Minimum Required Mean Lot Area Per Dwelling: 6,500 sq. ft.
- B** Minimum Required Mean Lot Width Per Dwelling Unit: 60 feet.
- C** Front Yards:
 - 1** Minimum Required Front Yard Width: 50 feet.
 - 2** Minimum Required Front Yard Depth: 20 feet.
- D** The minimum required side yard on each side of every manufactured home, modular home, or conventional home shall be 10% of lot average width, except that any side yard abutting a street shall be at least 12 feet measured from the property line to the furthest projection.
- E** Minimum Required Rear Yard: 20% of the mean lot depth; provided that the rear yard need not exceed 20 feet.
- F** The owner of a corner lot shall be required to specify which street line is the front when requesting a building permit for the original construction.
- G** No accessory structure shall be erected in any front yard, required side yard, within 15 feet of any street line or within 5 feet of any rear yard lot line not a street line. On reverse corner lots, no accessory building or accessory structure shall extend beyond the front yard line of the lot to its rear.
 - 1** The height may be no greater than that of the manufactured home or 16 feet if a modular home or conventional home.
 - 2** Concrete slabs in nonhabitable areas shall be a minimum of 3-1/2 inches in thickness. All concrete must be a minimum of 4 inches from the property line. Concrete must not channel stormwater to street. Control joints must not exceed 10 feet in any direction unless thickness is increased to 4 inches and welded wire (W1.4xW1.4), (W2.0xW2.0), (W2.9xW2.9) is used; then spacing of control joints may be increased to 30 feet. Control joints that are keyed or saw cut must be done within 24 hours of placement. No concrete may be allowed to be placed over any septic system. Expansion must be provided against any masonry or pilings of all structures.
- H** No attached structures to a manufactured home shall be wider than 14 feet or longer than the manufactured home to which it is attached.
- I** RESERVED



ARTICLE 6. ZONING DISTRICTS

- J** No building or structure shall be more than 35 feet in height. A building or structure may exceed 35 feet in height only on condition that it shall be set back, in addition to any other yard requirements, from the front and from each side lot line on a ratio of one foot for each two feet rise above 35 feet in height. However, under no circumstance shall the building height exceed 50 feet as measured pursuant to Appendix A.
- K** No landscaping using impervious materials such as solid plastic and vinyl will be permitted.
- L** Where through lots occur, the required front yard setback shall be provided on both streets.
- M** Underpinning and Tie-Downs:
- 1 All single-wide manufactured homes placed on a lot must be tied or fastened to the ground as follows: A single-wide with 4 foot anchors and those 50 feet in length through 55 feet in length must have not less than 3 anchors on each side; mobile homes from 55 through 70 feet must have not less than 4 anchors per side.
 - 2 All mobile homes, whether single-wide or double-wide, must be underpinned with brick, metal, fiberglass, or vinyl within 6 months of placement on the lot.

The following list provides the location of additional standards which apply to the development of uses permitted within this district:

Building Design Guidelines	Article 9, Part I
Off-Street Parking Requirements	Article 9, Part II
Lighting Ordinance	Article 9, Part III
Landscape and Buffering Requirements	Article 10
Sign Regulations	Article 11
Flood Damage Prevention Ordinance	Article 12, Part I
Stormwater Management Ordinance	Article 12, Part II
Driveway Access and Connectivity	N/A
Fences and Walls Requirements	Section 7.09
Sight Visibility Triangle Requirements	Section 2.08

ARTICLE 6. ZONING DISTRICTS

(K) *RI-1 Recreational and Institutional District.*

- A** Minimum Required Mean Lot Area Per Principal Building: 15,000 sq. ft.
- B** Minimum Required Mean Lot Width Per Principal Building Unit: 75 feet.
- C** Required Yards:

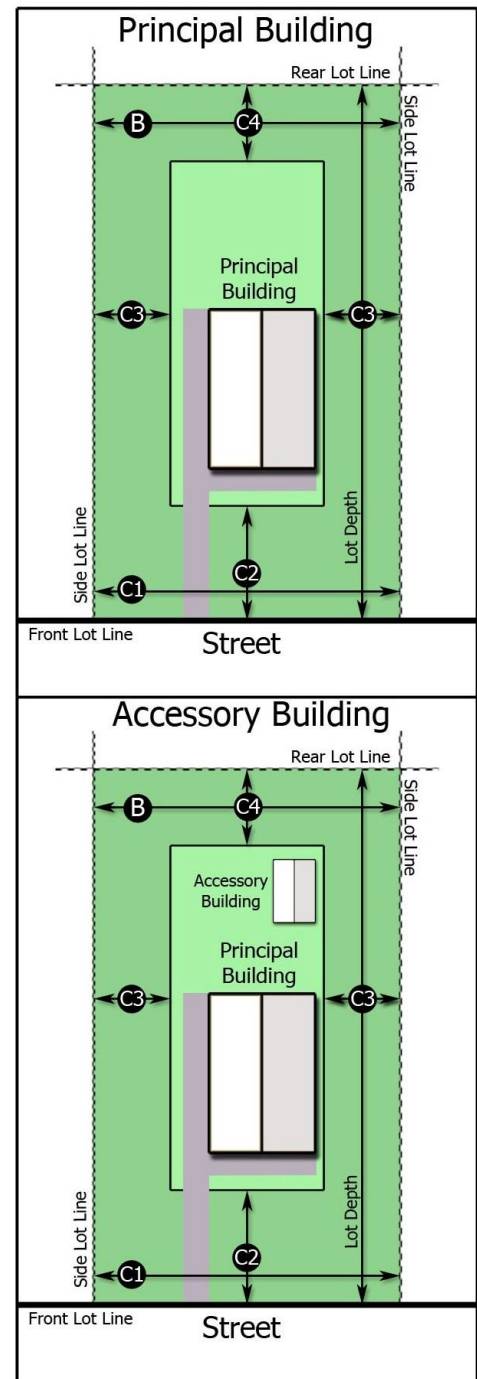
- 1 Minimum Required Front Yard Width: 50 feet.
- 2 Minimum Required Front Yard Depth: 25 feet. For corner lots, this requirement shall apply to the portion of the front yard facing the narrow side of the lot, and the yard fronting on the wider side of the lot adjacent to the street shall have a depth of not less than 12 feet measured from the property line to the building.
- 3 The minimum required side yard on each side of every principal building shall be 10% of lot average width, except that any side yard abutting a street shall be at least 12 feet.
- 4 The minimum required rear yard shall be 10% of the mean lot depth; provided that the rear yard need not exceed 10 feet, except where abutting an existing residential dwelling use or any area zoned residential; it shall provide a rear yard equal to at least 20 feet.

D Building Height:

- 1 No building shall exceed 35 feet in height unless the depth of the front and total width of side yards required herein shall be increased one foot for every two feet, or fraction thereof, of building height in excess of 35 feet. However, under no circumstance shall the building height exceed 50 feet as measured pursuant to Appendix A.
- 2 Government owned and operated utilities are not restricted to a height limitation. Government-owned utilities with antennas and radio equipment attached are not restricted to a height limitation.

E Accessory Buildings:

- 1 No accessory building shall be erected in front of the principal building footprint or in any required side yard or within 15 feet of any lot line abutting a street or within 5 feet of any lot line not a street line. An accessory building or use, as defined in Appendix A, may be located in a rear yard provided it is located at a distance of not less than 10 feet from the principal building and 10 feet from the rear yard line. On reverse corner lots, no accessory building shall extend beyond the front yard line of the lot to its rear.
- 2 Concrete slabs in nonhabitable areas shall be a minimum of 3-1/2 inches in thickness. All concrete must be a minimum of 4 inches from the property line. Concrete must not channel stormwater to street. Control joints must not exceed 10 feet in any direction unless thickness is increased to 4 inches and welded wire (W1.4xW1.4), (W2.0xW2.0), (W2.9xW2.9) is used; then spacing of control joints may be increased to 30 feet. Control joints that are keyed or saw cut must be done within 24 hours of placement. No concrete may be allowed to be placed over any septic system. Expansion must be provided against any masonry or pilings of all structures.



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F RESERVED

- G** The owner of a corner lot shall be required to specify which street line is the front when requesting a building permit for the original construction.
- H** Security fencing, not to exceed 8 feet in height, may be erected upon review and approval of the Planning Board, when required for government installations or when in the interest of public safety.
- I** No landscaping using impervious materials such as solid plastic and vinyl will be permitted.

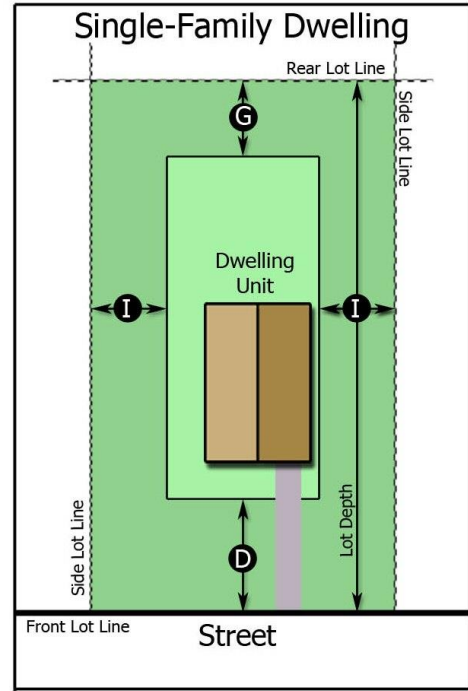
The following list provides the location of additional standards which apply to the development of uses permitted within this district:

Building Design Guidelines	Article 9, Part I
Off-Street Parking Requirements	Article 9, Part II
Lighting Ordinance	Article 9, Part III
Landscape and Buffering Requirements	Article 10
Sign Regulations	Article 11
Flood Damage Prevention Ordinance	Article 12, Part I
Stormwater Management Ordinance	Article 12, Part II
Driveway Access and Connectivity	N/A
Fences and Walls Requirements	N/A
Sight Visibility Triangle Requirements	Section 2.08

ARTICLE 6. ZONING DISTRICTS

(L) *CR-1 Conservation Reserve District.*

- A** Density: There will be a maximum of 1 detached single-family residential dwelling per acre.
- B** Minimum Lot Size: In addition to the total density requirements set forth above, each individual building lot must contain a minimum of at least 1/2 acre of net buildable area. For purposes of this section, net buildable area shall not include any area defined as wetland by state or federal law or regulation, including the Clean Water Act, 33 USC 1344, or any area within any setback established pursuant to the Coastal Area Management Act.
- C** Maximum Lot Coverage: Not more than 20% of the total lot area may be covered by buildings and any impervious surfaces.
- D** Minimum Yards: The minimum required front yard shall contain a depth of not less than 50 feet from the property line. However, as to corner lots, this requirement shall apply to the portion of the front yard facing the narrow side of the lot and the yard fronting on the wider side of the lot adjacent to the street shall have a depth of not less than 12 feet measured from the property line to the building.
- E** Ocean Front Yards: The minimum required front yard on ocean front lots shall be at least 25 feet from the established CAMA line.
- F** Certain Structures: On ocean front lots, no structure other than approved sand fences for the exclusive purpose of capturing sand for dune stabilization and growth, or County Health Department approved waste treatment systems shall be located on that part of any lot lying 25 feet from the established CAMA line seaward of the rear property line on ocean front lots being that property line located the farthest distance from the ocean. CAMA approved dune walkovers shall be permitted, limited to a maximum of 1 per 4 building units. Retaining walls, bulkheads, or other containment devices to prevent fill and surface water from running on lower lots when fill is necessary to install a private wastewater treatment system will be allowed beyond 25 feet from the established CAMA line feet seaward of the property line abutting the right-of-way of the street.
- G** Minimum Required Rear Yard: 20% of the mean lot depth, provided that the rear yard need not exceed 25 feet.
- H** Height of Buildings: No building or structure shall be more than 35 feet in height.
- I** Side Yard Setbacks: The minimum required side yard setback on each side of every principal building shall be at least 10 feet.
- J** No landscaping using impervious materials such as solid plastic and vinyl will be permitted.



The following list provides the location of additional standards which apply to the development of uses permitted within this district:

Building Design Guidelines	Article 9, Part I
Off-Street Parking Requirements	Article 9, Part II
Lighting Ordinance	Article 9, Part III
Landscape and Buffering Requirements	Article 10
Sign Regulations	Article 11
Flood Damage Prevention Ordinance	Article 12, Part I
Stormwater Management Ordinance	Article 12, Part II
Driveway Access and Connectivity	N/A

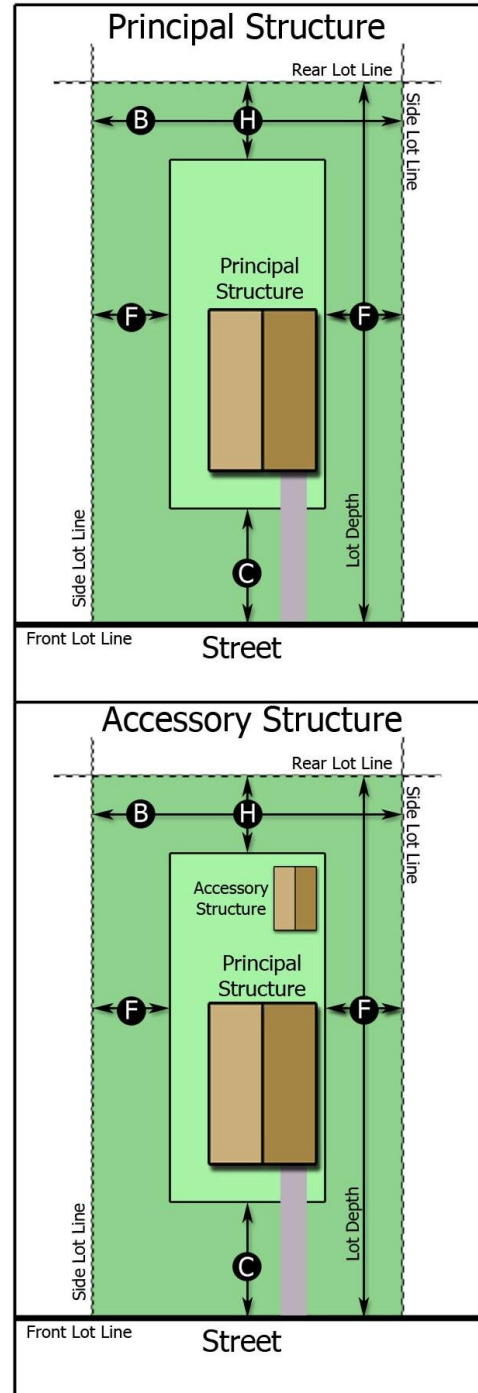
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Fences and Walls Requirements	Section 7.09
Sight Visibility Triangle Requirements	Section 2.08

ARTICLE 6. ZONING DISTRICTS

(M) AF-1 Agricultural - Forestry District.

- A** Minimum Required Mean Lot Area per Single-Family Residential Dwelling: 1 acre.
- B** Minimum Required Mean Lot Width: 75 feet.
- C** Minimum Required Front Yard: 50 feet.
- D** The number of bedrooms allowed per dwelling shall not be more than the approved wastewater construction authorization for the County Health Department.
- E** The minimum required front yard shall contain a depth of not less than 50 feet from the property line. For corner lots, this requirement shall apply to the portion of the front yard facing the narrow side of the lot and the yard fronting on the wider side of the lot adjacent to the street shall have a depth of not less than 12 feet measured from the property line to the building.
- F** The minimum required side yard on each side of every principal building shall be 10% of lot average width, except that any side yard abutting a street shall be at least 12 feet.
- G** On any lot having a width of less than 40 feet and the lot was a lot of record at the time of the adoption of this Ordinance, the required width of side yard shall be 4 feet, except that any side yard abutting a street shall be at least 10 feet.
- H** The rear setback shall be 20% of the mean lot depth; provided that the rear yard not exceed 25 feet.
- I** No building or structure shall be more than 35 feet in height. A building or structure may exceed 35 feet in height only on the condition that it shall be set back, in addition to any other yard requirements, from the front and from each side lot line on a ratio of one foot for every two feet rise above 35 feet in height. However, under no circumstance shall the building height exceed 50 feet as measured pursuant to Appendix A.
- J** Accessory Structures:
 - 1** An accessory structure is permitted within the front yard when measured from the front of the house to the front property line is a minimum of 200 feet. The structure may not encroach into the front yard setback.
 - 2** Any structure that is attached to the principal building by a conventionally framed and covered roof system, with a minimum width of 5 feet, may be considered part of the principal building and shall be required to comply with the minimal front yard set back requirements.
 - a** The height may be no greater than 16 feet.



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- b** Concrete slabs in nonhabitable areas shall be a minimum of 3-1/2 inches in thickness.
 - i** All concrete must be a minimum of 4 inches from the property line. Concrete must not channel stormwater to streets.
 - ii** Control joints must not exceed 10 feet in any direction unless thickness is increased to 4 inches and welded wire (W1.4xW1.4), (W2.0xW2.0), (W2.9xW2.9) is used; then spacing of control joints may be increased to 30 feet. Control joints that are keyed or saw cut must be done within 24 hours of placement.
 - iii** No concrete may be allowed to be placed over any septic system.
 - iv** Expansion must be provided against any masonry or pilings of all structures.

K **RESERVED**

- L** The owner of a corner lot shall be required to specify which street line is the front when requesting a building permit for the original construction.
- M** Not more than 20% of total lot area may be covered by the main building, accessory structures, and impervious surfaces. No landscaping using impervious materials such as solid plastic and vinyl will be permitted.

The following list provides the location of additional standards which apply to the development of uses permitted within this district:

Building Design Guidelines	N/A
Off-Street Parking Requirements	N/A
Lighting Ordinance	Article 9, Part III
Landscape and Buffering Requirements	Article 10
Sign Regulations	Article 11
Flood Damage Prevention Ordinance	Article 12, Part I
Stormwater Management Ordinance	Article 12, Part II
Driveway Access and Connectivity	N/A
Fences and Walls Requirements	Section 7.09
Sight Visibility Triangle Requirements	Section 2.08

ARTICLE 6. ZONING DISTRICTS

SECTION 6.07 OVERLAY ZONING DISTRICT DEVELOPMENT STANDARDS

(A) Gateway Corridor Overlay District.

1. General Requirements.

The following general requirements apply to the Gateway Corridor Overlay District:

- a. The Gateway Corridor Overlay District is a district that supplements the underlying zoning district established on the site. In addition to the requirements of the underlying zoning district(s), the requirements herein shall apply to all new construction, additions, alterations, or expansions to existing buildings, parking lots or vehicular storage areas, as expressed herein.
- b. All uses permitted in the underlying zoning districts are allowed as regulated by said districts, unless explicitly expressed herein.
- c. The specific development requirements of the Gateway Corridor Overlay District shall apply uniformly to all buildings on parcels that lie, in whole or in part, within the overlay.
- d. In case of conflict with the regulations of the underlying zoning district within the Unified Development Ordinance and these requirements, the requirements of this overlay shall govern.

2. Applicability.

The Gateway Corridor Overlay District standards shall apply to all buildings on lots or open uses of land constructed, reconstructed, or established whereby the lot either fronts directly onto the corridor or to buildings within 300 ft. of the centerline of Highway 904 and Sunset Blvd; whichever is less. The boundary of the overlay shall begin at the intersection of Old Georgetown Rd. and NC Highway 904, running southward along Highway 904 to the intersection of NC Highway 904 and Sunset Blvd., then running West along Sunset Blvd., terminating at the Intercoastal Waterway; as depicted on the Official Zoning Map of the Town of Sunset Beach.

3. Exemptions.

The Gateway Corridor Overlay District design standards shall not apply to:

- a. Single-family and duplex dwellings;
- b. Development within the Mixed-Use District (MUD);
- c. Churches or other places of religious assembly as a principle use on their own lot; and
- d. Golf courses and golf driving ranges.
- e. Those buildings existing on the effective date of the establishment of this overlay whose exterior improvements do not exceed 50% of the structure's tax value of a 5,000 sf or less structure or do not exceed 25% of the structure's tax value of a structure greater than 5,000 sf. Tax values shall be based upon those provided by the Brunswick County Assessor's office. Internal renovations of existing buildings will not count towards these improvement costs.

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- f. Those projects that have an approved Site Specific Development Plan in compliance with the Unified Development Ordinance.
4. Expansion of Existing Uses.
- Those buildings whose exterior improvements exceed 50% of the structure's tax value of a 5,000 sf or less structure or exceed 25% of the structure's tax value of a structure greater than 5,000 sf (tax values shall be based upon those provided by the Brunswick County Assessor's office) after the effective date of this overlay, the following requirements shall be met:
- a. Required street planting yards shall be provided. In locations where the entire width of the required planting yard cannot be provided due to existing development, planting yards shall be provided to the extent possible, with no reduction in the size or numbers of required plantings.
 - b. The expanded portion only of any new parking lot or vehicular storage area shall meet the full landscaping and screening requirements for parking and vehicular surface areas.
 - c. Nonconforming signage shall comply with the Unified Development Ordinance.
 - d. A pedestrian path shall be required to be constructed in accordance with Section 6.07(A)(5)(C)(3) of this ordinance.
 - e. If buildings are to be refaced or painted during this process, then the colors shall be in compliance with 6.07(A)(5)(G) Color.
 - f. Exception: The costs of any internal renovations of existing buildings will not count towards the percent value of the structure's tax value when determining if the expansion of existing uses must execute items a-e of this section.
5. Use and Design Standards.
- (A) Landscaping and Screening Requirements: Landscaping and screening shall be in planted in accordance with the requirements in Article 10 of the Unified Development Ordinance (UDO).

However, the permitted tree types shall be limited to the following:

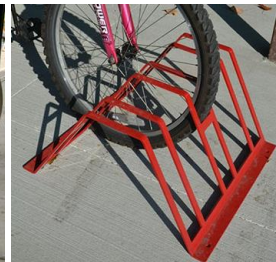
Botanical Name	Common Name
Larger Trees and Shade Trees	
Magnolia Grandiflora	Southern Magnolia
Sabal Palmetto	Sabal Palm
Quercus Phellos	Willow Oak
Quercus Virginiana	Live Oak
Taxodium Distichum	Bald Cypress
Acer Rubrum	Red Maple
Quereus Falcata	Southern Red Oak
Juniperus Virginiana	Southern Red Cedar

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Pinus Glabra	Spruce Pine
Understory Trees	
Cerci Canadensis	Redbud
Cornus Florida	Flowering Dogwood
Ilex “Nellie Stevens”	Nellie Stevens Holly
Ilex Opaca	American Holly
Lagerstroemia Hybrids	Crape Myrtle Hybrids
Magnolia Soulangiana	Saucer Magnolia
Magnolia Virginiana	Sweet Bay Magnolia
Prunus Caroliniana	Carolina Cherry
Acer Palmatum	Japanese Maple
Eriobotrya Japonica	Loquat
Prunus Serrulata	Japanese Flowering Cherry
Aesculus Pavia	Red Buckeye

(B) Parking and Loading Areas:

- (1) Parking in the front of the building shall be limited to no more than 2 rows of parking parallel to the front façade of the principle building.
- (2) Bicycle racks shall be required.
 - a. A minimum of 3 bicycle parking spaces shall be provided.
 - b. Additionally, bicycle spaces shall be provided at a rate of 1 bicycle space for every 20 required parking spaces (round up fractions) up to a maximum of 6 bicycle spaces.
 - c. Below are examples of small-scale bicycle racks.



(C) Access Management:

- (1) Driveway access for individual lots shall be limited to shared driveways at a maximum rate of one (1) driveway per two (2) lots to avoid multiple driveway cuts. Individual or multiple driveway accesses may be allowed at the discretion of the Planning Board when site conditions relative to topography, avoiding utility infrastructure, or other clearly identifiable safety conditions are present.
- (2) Cross access lanes shall be provided to neighboring properties to ensure access without the need to re-enter the road system. The Planning

ARTICLE 6. ZONING DISTRICTS

Board may waive or modify this requirement when site conditions relative to topography, avoiding utility infrastructure, or other clearly identifiable safety conditions are present.

- (3) A pedestrian path shall be required to be constructed along the entire frontage of the subject property where the development is occurring. The path shall be constructed to a minimum width of 5 ft. and to the specifications established for sidewalk construction found in Chapter 98 of the Town Code.
- (4) Dumpster/refuse enclosures for individual lots shall be designed to be shared with a neighboring lot. Individual dumpster/refuse enclosures may be allowed at the discretion of the Planning Board when site conditions relative to topography, avoiding utility infrastructure, or other clearly identifiable safety conditions are present.

(D) Lighting:

(1) For all lots with an existing or proposed cumulative building square footage of less than 25,000 sq. ft., all parking lot lighting shall be limited to a maximum height of 25 ft. Where possible, light poles shall be selected so they are consistent with existing lighting fixtures within the overlay district. Such lighting should be selected as a Brunswick Electric Membership Corporation (BEMC) specialty fixture comparable with the images contained within this section. The Planning Board may apply discretion in selection of any lighting fixtures.



(E) Convenience Stores with Fuel Pumps and Gasoline Service Stations:

- (1) Buildings: Convenience store and gasoline service station buildings shall comply with the following standards:
 - a. Buildings shall have hip or gable roofs with earth colors. Flat roofs are prohibited;
 - b. Buildings shall be constructed with earth tone brick or with masonry which is painted with natural earth tones.

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- (2) Canopies:
 - a. The maximum area of signage affixed to each side of a canopy shall not exceed 20 square feet or 25 percent of the canopy fascia, whichever is less
 - b. Canopy columns shall be finished with either brick or masonry that is consistent with the principal building material.
- (3) Landscape boulders or other decorative devices shall be used near driveway entrances in lieu of steel bollards. However, bollards may be used to protect fuel pump islands.
- (4) Fuel pricing signs shall display only the name, trademark, registered logo or vehicular fuel product and prices

(F) Architecture:

- (1) Primary building facades within the corridor overlay shall be finished with at least 80% of one or more of the following materials:
 - a. Brick and brick veneer;
 - b. Stone, stone veneer, and cultured stone;
 - c. Precast or field-poured tilt concrete panels with texture and architectural detailing;
 - d. Stucco with architectural detailing;
 - e. Cementous siding;
 - f. Wood and wood materials designed and intended for use as exterior finish material;
 - g. Tilt wall panels;
 - h. Split-faced Concrete Masonry Units (CMU);
 - i. Other materials approved by the Planning Board consistent with the purpose of these standards.
- (2) Corrugated metal or vinyl siding used as a primary siding material is prohibited. However, such siding may be used for secondary trim and architectural accent materials not included in the principle façade calculation as outline in F(1) above.
- (3) No awnings or canopy fascia shall be internally lit.
- (4) Exposed neon tubing or other similar lighting shall not be allowed as exterior building treatments.
- (5) Applicants are required to submit color renderings, color elevation drawings, or color photographs with the site plan or to place a note on the site plan indicating that compliance with this section shall be achieved

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and approved by the Planning and Inspections Director prior to installation.

(G) Color

- (1) Building and roof colors shall consist of earth tone colors. Primary colors or bright colors shall be limited to trim and signage. Day glow or neon colors shall be prohibited. This standard shall apply at any time a building is refaced, repainted, or when the exterior color of the applicable wall is substantially changed by more than 50%.
- (2) Applicants are required to submit color renderings, color elevation drawings, or color photographs with the site plan or to place a note on the site plan indicating that compliance with this section shall be achieved and approved by the Planning and Inspections Director prior to installation.
- (3) The overall exterior color scheme must be selected to be harmonious with the neighborhood and blend with the natural surroundings of the site. Earth tones must be chosen as the predominant colors. Colors shall not be used to cause the structure to stand out from others or its background. Consideration must be given to the compatibility of colors with those existing in the vicinity. The size of the structure and the amount of shading it will receive are also factors in the selection of colors. Colors that may be approved on sites with good tree coverage providing adequate shading may not be approved on a site with inadequate shading. An example earth tone color palate is provided herein.

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- (4) Color Hue. Any accent colors shall be of analogous tints, shades, or tones that are low in intensity or brightness. Primary, secondary, and highly saturated, bright tertiary colors should be avoided. Accent colors may only be approved for very limited use where appropriate to highlight a feature of the design or provide visual interest. A small area of brighter color may be appropriate to emphasize an architectural detail but would not be approved for a larger area. The number of such colors shall be limited and must be compatible within the overall color scheme.
- (5) Contrast. Exterior color schemes must avoid placing together colors with values that are highly contrasting. Subtle levels of contrast are desirable to emphasize architectural elements or to provide visual interest. A slightly darker wall color on the bottom story of a two-story structure may help reduce the visual height of the building. The use of black, white or off-white is typically avoided and may be approved only for very limited use where a high level of contrast is warranted.
- (6) Signage. Signage shall be in accordance with the following requirements. In case of conflict with the signage provisions of the underlying zoning districts, the stricter standard shall apply.

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- (H) Prohibited signs: In addition to signage prohibited by the Unified Development Ordinance, the following signs shall be prohibited in the corridor overlay:
- a. Signs containing exposed neon tubing, but not including those attached to or displayed within a window.